



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CHRISTOPHER M. McMONAGLE, ESQUIRE
Stern & Eisenberg, PC
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(COUNSEL FOR MOVANT)

Order Filed on June 30, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Jovanny A Valdez

Debtor

Wilmington Savings Fund Society, FSB d/b/a
Christiana Trust, not in its individual capacity
but solely as the trustee for the Brougham Fund
I Trust, by its servicer BSI Financial Services,
Inc.

Movant
v.
Jovanny A Valdez

Albert Russo
Respondents

Case Number: 19-16636-MBK

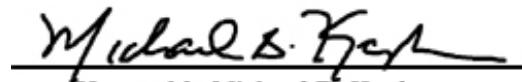
Chapter 13

Judge: Michael B. Kaplan

ORDER APPROVING STIPULATION/CONDITIONAL ORDER SETTLING CERTIFICATION OF
DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3) is
hereby **ORDERED**.

DATED: June 30, 2020



Honorable Michael B. Kaplan
United States Bankruptcy Judge

(page 2)

Debtor: Jovanny A Valdez

Case Number: 19-16636-MBK

Caption of Order: Order Approving Stipulation/Conditional Order Settling the Certification of Default
(docket # 44) of the Order Settling Objection to Confirmation of Chapter 13 Plan (docket # 34)

Upon the Certification of Default of Wilmington Savings Fund Society, FSB d/b/a Christiana Trust, not in its individual capacity but solely as the trustee for the Brougham Fund I Trust, by its servicer BSI Financial Services, Inc. (Movant) through its Counsel Stern & Eisenberg PC, attorneys for secured creditor, under Bankruptcy Code (section 362(d)) for relief from the automatic stay as to certain property, 632 Colgate Ave, Perth Amboy, NJ 08861 ("Property"), and the entry of the Order settling the Certification of Default and for cause shown, it is hereby ORDERED and DECREED as follows:

1. As of June 8, 2020, Jovanny A Valdez ("Debtor") acknowledges that Debtor is due for the following post-petition regular monthly payments from March 1, 2020 to June 1, 2020, as follows:
 - a. Monthly payments total (\$3,789.62/mo): \$15,158.48
 - b. Post-petition suspense balance: (\$3,376.96)
 - c. Attorney Fees: \$200.00
 - d. Total arrears as of date of Order: \$11,981.52
2. Debtor shall cure the Arrears as set forth above by paying as follows:
 - a. \$2,000.00 down payment towards arrears within ten (10) days of entry of order
 - b. Remaining arrears of \$9,981.52 to be paid as follows:
 - c. \$1,663.59/month for the next four (4) months together with the regular monthly mortgage payment (currently \$3,789.62/month) for a total monthly payment of **\$5,453.21 for the next four (4) months beginning in July 2020 running through October 2020.**
 - d. \$1,663.58/month for the following two (2) months together with the regular monthly mortgage payment (currently \$3,789.62/month) for a total monthly payment of **\$5,525.04 for the following two (2) months beginning in November 2020 running through December 2020.**
3. In the event the regular monthly payment changes for any reason, then the amount due pursuant to paragraph two (2) shall be adjusted accordingly. Thereafter, Debtor agrees to continue making the regular monthly mortgage payment.
4. Payments due in accordance with this Order shall be due on or before the 1st day of each month.
5. Debtor shall make the regular monthly payments required to the Trustee.
6. All payments due to the Movant from the Debtor are to be made directly to BSI Financial Services, Inc. and making sure that Creditor's loan number appears on all payments.
7. In the event that Movant alleges that Debtor has failed to comply with obligations under paragraph two (2) of this Agreed Order for more than thirty (30) days, then Movant and/or Counsel may file via certification to the court notifying of such default, and request for Order, with a copy to Debtor and Debtor's counsel, whereupon the Court may grant Movant immediate relief from the bankruptcy stay, per the form of attached Order which is made part hereof as Exhibit "A".

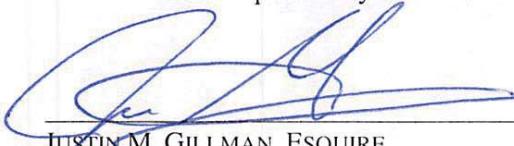
(page 3)

Debtor: Jovanny A Valdez

Case Number: 19-16636-MBK

Caption of Order: Order Approving Stipulation/Conditional Order Settling the Certification of Default
(docket # 44) of the Order Settling Objection to Confirmation of Chapter 13 Plan (docket # 34)

8. Upon issuance of the aforesaid Order, the parties hereto further agree that Movant may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.
9. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Movant shall be granted immediate relief from the automatic stay and may also request entry of the form of Order attached as Exhibit "A".



JUSTIN M. GILLMAN, ESQUIRE
COUNSEL FOR DEBTOR

/s/ Christopher M. McMonagle

CHRISTOPHER M. MCMONAGLE, ESQUIRE
STERN & EISENBERG, PC
ATTORNEY FOR MOVANT

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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Case Number: 19-16636-MBK

Chapter 13

Judge: Michael B. Kaplan

**ORDER GRANTING RELIEF FROM AUTOMATIC STAY FOLLOWING CERTIFICATION OF
DEFAULT OF CONDITIONAL ORDER /STIPULATION**

Upon Certification of Default of Wilmington Savings Fund Society, FSB d/b/a Christiana Trust,
not in its individual capacity but solely as the trustee for the Brougham Fund I Trust, by its servicer
BSI Financial Services, Inc. (Movant) for relief, it is hereby ORDERED AND DECREED that
Movant, (and any assignee/successor-in-interest) is granted relief from the stay of 11 U.S.C. §362 to
proceed with its mortgage foreclosure action and Sheriff's Sale (and all other rights under state and
federal law) concerning the Property: 632 Colgate Ave, Perth Amboy, NJ 08861 ("Property")

It is further ORDERED and DECREED that the 14-day stay pursuant to BKRP 4001(a)(3) is hereby waived.

Certificate of Notice Page 6 of 6
United States Bankruptcy Court
District of New Jersey

In re:
 Jovanny A Valdez
 Debtor

Case No. 19-16636-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jul 01, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 03, 2020.

db +Jovanny A Valdez, 130 Lewis St, Perth Amboy, NJ 08861-4621

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 03, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 1, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Christopher M. McMonagle on behalf of Creditor Wilmington Savings Fund Society, FSB, et al
 cmcmonganle@sterneisenberg.com, bkecf@sterneisenberg.com

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee, et al... dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Justin M Gillman on behalf of Debtor Jovanny A Valdez ecf@gbclawgroup.com, R47252@notify.bestcase.com, e4ea5f23@maildrop.clio.com, jgillman@ecf.courtdrive.com

Rebecca Ann Solarz on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee, et al... rsolarz@kmllawgroup.com

Steven P. Kelly on behalf of Creditor Wilmington Savings Fund Society, FSB, et al
 skelly@sterneisenberg.com, bkecf@sterneisenberg.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7